

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WANI J. KOSE,

Plaintiff,

v.

H. SIEZ, et al.,

Defendants.

Case No.: 1:23-cv-00557-NODJ-CDB

**ORDER LIFTING PREVIOUSLY
IMPOSED STAY**

**ORDER DIRECTING CLERK OF THE
COURT TO ISSUE DISCOVERY AND
SCHEDULING ORDER**

Plaintiff Wani J. Kose is proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On November 8, 2023, this Court issued its Order Referring Case to Post-Screening ADR and Staying Case for 90 Days. (Doc. 19.) The Court ordered the parties to file notice, within 45 days, indicating whether they believed an early settlement conference would be productive in this matter. (*Id.* at 2.)

On December 20, 2023, Defendants filed notice indicating they did not wish to participate in an early settlement conference. (Doc. 22.)

Despite the passage of more than 45 days, Plaintiff failed to file a notice as ordered.

Because Defendants do not agree an early settlement conference would be productive, and because Plaintiff has failed to respond by filing a notice as ordered, the Court will lift the previously imposed stay and issue a discovery and scheduling order.

CONCLUSION AND ORDER

Accordingly, **IT IS HEREBY ORDERED** that:

1. The previously imposed 90-day stay of this action (Doc. 19) is **LIFTED**; and
2. The Clerk of the Court is **DIRECTED** to issue a discovery and scheduling order in this matter.

Plaintiff is warned that a failure to obey court orders can result in a recommendation that this action be dismissed for a failure to obey court orders and failure to prosecute.

IT IS SO ORDERED.

Dated: **January 3, 2024**


UNITED STATES MAGISTRATE JUDGE